



February 23, 2001

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## SENATE BILL No. 498

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DIGEST OF SB 498 (Updated February 20, 2001 5:40 PM - DI 71)

**Citations Affected:** IC 9-13; IC 9-21; IC 21-2.

**Synopsis:** Stoplights in school zones. Requires the Indiana department of transportation to erect a stoplight in a school zone on a state highway if requested by the school corporation, law enforcement agency, and the executive of the unit that contains the school. Provides that 50% of the cost of the stoplight must be paid by the school corporation. Allows a school corporation to use capital project fund money to pay the school corporation's share.

**Effective:** July 1, 2001.

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### Hershman, Ford

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January 22, 2001, read first time and referred to Committee on Public Policy.  
February 22, 2001, amended, reported favorably — Do Pass.

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SB 498—LS 8043/DI 94+



February 23, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 498

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-13-2-192 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 192. "Unit", for  
3 purposes of IC 9-21-18 **and IC 9-21-3-2**, has the meaning set forth in  
4 IC 9-21-18-3.

5 SECTION 2. IC 9-21-3-2 IS AMENDED TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) **Except as provided in**  
7 **subsection (c)**, each traffic signal installation on a street or highway  
8 within Indiana may be erected only after the completion of traffic  
9 engineering studies that verify that the traffic signal control is  
10 necessary as set forth in the Indiana Manual on Uniform Traffic  
11 Control Devices for Streets and Highways.

12 (b) If:

13 (1) the proposed installation is in the immediate vicinity of a  
14 school; and

15 (2) the installation does not meet the requirements of this section;  
16 the governmental unit responsible for the control of traffic at the  
17 location shall grant a special hearing on the question to a person who

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has properly petitioned for the installation of a traffic signal.

(c) If:

(1) a school corporation with a school located on a state highway;

(2) the law enforcement agency with jurisdiction over the school described in subdivision (1); and

(3) the executive of a unit that contains the school referenced in subdivision (1);

jointly petition the department to erect a traffic control signal in the school zone on the state highway next to a school in the school corporation, the department shall erect the traffic control signal. The school corporation shall pay fifty percent (50%) of the total costs of a traffic control signal erected under this subsection.

SECTION 3. IC 21-2-15-4, AS AMENDED BY P.L.240-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) A school corporation may establish a capital projects fund.

(b) With respect to any facility used or to be used by the school corporation (other than a facility used or to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)), the fund may be used to pay for the following:

(1) Planned construction, repair, replacement, or remodeling.

(2) Site acquisition.

(3) Site development.

(4) Repair, replacement, or site acquisition that is necessitated by an emergency.

(c) The fund may be used to pay for the purchase, lease, repair, or maintenance of equipment to be used by the school corporation (other than vehicles to be used for any purpose and equipment to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)).

(d) The fund may be used for any of the following purposes:

(1) To purchase, lease, upgrade, maintain, or repair one (1) or more of the following:

(A) Computer hardware.

(B) Computer software.

(C) Wiring and computer networks.

(D) Communication access systems used to connect with computer networks or electronic gateways.

(2) To pay for the services of full-time or part-time computer maintenance employees.

(3) To conduct nonrecurring inservice technology training of

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school employees.

(4) To fund the payment of advances, together with interest on the advances, from the common school fund for educational technology programs under IC 21-1-5.

(5) To fund the acquisition of any equipment or services necessary:

(A) to implement the technology preparation curriculum under IC 20-10.1-5.6;

(B) to participate in a program to provide educational technologies, including computers, in the homes of students (commonly referred to as "the buddy system project") under IC 20-10.1-25, the 4R's technology program under IC 20-10.1-25, or any other program under the educational technology program described in IC 20-10.1-25; or

(C) to obtain any combination of equipment or services described in clauses (A) and (B).

(e) The fund may be used to purchase:

(1) building sites;

(2) buildings in need of renovation;

(3) building materials; and

(4) equipment;

for the use of vocational building trades classes to construct new buildings and to remodel existing buildings.

(f) The fund may be used for leasing or renting of existing real estate, excluding payments authorized under IC 21-5-11 and IC 21-5-12.

(g) The fund may be used to pay for services of the school corporation employees that are bricklayers, stone masons, cement masons, tile setters, glaziers, insulation workers, asbestos removers, painters, paperhangers, drywall applicators and tapers, plasterers, pipe fitters, roofers, structural and steel workers, metal building assemblers, heating and air conditioning installers, welders, carpenters, electricians, or plumbers, as these occupations are defined in the United States Department of Labor, Employment and Training Administration, Dictionary of Occupational Titles, Fourth Edition, Revised 1991, if:

(1) the employees perform construction of, renovation of, remodeling of, repair of, or maintenance on the facilities and equipment specified in subsections (b) and (c);

(2) the school corporation's total annual salary and benefits paid by the school corporation to employees described in this subsection are at least six hundred thousand dollars (\$600,000); and



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1 (3) the payment of the employees described in this subsection is  
2 included as part of the proposed capital projects fund plan  
3 described in section 5(a) of this chapter.

4 However, the number of employees that are covered by this subsection  
5 is limited to the number of employee positions described in this  
6 subsection that existed on January 1, 1993. For purposes of this  
7 subsection, maintenance does not include janitorial or comparable  
8 routine services normally provided in the daily operation of the  
9 facilities or equipment.

10 (h) The fund may be used to pay for energy saving contracts entered  
11 into by a school corporation under IC 36-1-12.5.

12 (i) Money from the fund may be used to pay for the construction,  
13 repair, replacement, remodeling, or maintenance of a school sports  
14 facility. However, a school corporation's expenditures in a calendar  
15 year under this subsection may not exceed five percent (5%) of the  
16 property tax revenues levied for the fund in the calendar year.

17 **(j) Money from the fund may be used to pay the school**  
18 **corporation's share of the cost of installing a traffic control signal**  
19 **under IC 9-21-3-2(c).**

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SENATE MOTION

Mr. President: I move that Senator Ford be added as second author of Senate Bill 498.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 498, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 3 through 8, begin a new line block indented and insert:

**"(1) a school corporation with a school located on a state highway;**

**(2) the law enforcement agency with jurisdiction over the school described in subdivision (1); and"**

Page 2, line 9, delete "(2)" and insert "(3)".

Page 2, line 13, delete "district," and insert "**corporation,**".

Page 2, line 14, delete "district" and insert "**corporation**".

Page 2, after line 15, begin a new paragraph and insert:

"SECTION 3. IC 21-2-15-4, AS AMENDED BY P.L.240-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) A school corporation may establish a capital projects fund.

(b) With respect to any facility used or to be used by the school corporation (other than a facility used or to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)), the fund may be used to pay for the following:

- (1) Planned construction, repair, replacement, or remodeling.
- (2) Site acquisition.
- (3) Site development.
- (4) Repair, replacement, or site acquisition that is necessitated by an emergency.

(c) The fund may be used to pay for the purchase, lease, repair, or maintenance of equipment to be used by the school corporation (other than vehicles to be used for any purpose and equipment to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)).

(d) The fund may be used for any of the following purposes:

- (1) To purchase, lease, upgrade, maintain, or repair one (1) or more of the following:
  - (A) Computer hardware.
  - (B) Computer software.
  - (C) Wiring and computer networks.
  - (D) Communication access systems used to connect with computer networks or electronic gateways.
- (2) To pay for the services of full-time or part-time computer

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maintenance employees.

(3) To conduct nonrecurring inservice technology training of school employees.

(4) To fund the payment of advances, together with interest on the advances, from the common school fund for educational technology programs under IC 21-1-5.

(5) To fund the acquisition of any equipment or services necessary:

(A) to implement the technology preparation curriculum under IC 20-10.1-5.6;

(B) to participate in a program to provide educational technologies, including computers, in the homes of students (commonly referred to as "the buddy system project") under IC 20-10.1-25, the 4R's technology program under IC 20-10.1-25, or any other program under the educational technology program described in IC 20-10.1-25; or

(C) to obtain any combination of equipment or services described in clauses (A) and (B).

(e) The fund may be used to purchase:

(1) building sites;

(2) buildings in need of renovation;

(3) building materials; and

(4) equipment;

for the use of vocational building trades classes to construct new buildings and to remodel existing buildings.

(f) The fund may be used for leasing or renting of existing real estate, excluding payments authorized under IC 21-5-11 and IC 21-5-12.

(g) The fund may be used to pay for services of the school corporation employees that are bricklayers, stone masons, cement masons, tile setters, glaziers, insulation workers, asbestos removers, painters, paperhangers, drywall applicators and tapers, plasterers, pipe fitters, roofers, structural and steel workers, metal building assemblers, heating and air conditioning installers, welders, carpenters, electricians, or plumbers, as these occupations are defined in the United States Department of Labor, Employment and Training Administration, Dictionary of Occupational Titles, Fourth Edition, Revised 1991, if:

(1) the employees perform construction of, renovation of, remodeling of, repair of, or maintenance on the facilities and equipment specified in subsections (b) and (c);

(2) the school corporation's total annual salary and benefits paid by the school corporation to employees described in this

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subsection are at least six hundred thousand dollars (\$600,000);  
and

(3) the payment of the employees described in this subsection is included as part of the proposed capital projects fund plan described in section 5(a) of this chapter.

However, the number of employees that are covered by this subsection is limited to the number of employee positions described in this subsection that existed on January 1, 1993. For purposes of this subsection, maintenance does not include janitorial or comparable routine services normally provided in the daily operation of the facilities or equipment.

(h) The fund may be used to pay for energy saving contracts entered into by a school corporation under IC 36-1-12.5.

(i) Money from the fund may be used to pay for the construction, repair, replacement, remodeling, or maintenance of a school sports facility. However, a school corporation's expenditures in a calendar year under this subsection may not exceed five percent (5%) of the property tax revenues levied for the fund in the calendar year.

**(j) Money from the fund may be used to pay the school corporation's share of the cost of installing a traffic control signal under IC 9-21-3-2(c)."**

and when so amended that said bill do pass.

(Reference is to SB 498 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 6, Nays 2.

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